

III. Remarks

The Examiner's careful consideration is appreciated. To more distinctly define the invention, the title is amended to "Quality Assured Transaction Processing With Separate Image and Data Records." Claims 199, 200, 202-204, 206, and 208 are amended, new claims 213-217 are added, and claims 201, 205, 207, and 209-212 are cancelled without prejudice such that the invention, as claimed, is consistent with the election previously made herein.

Applicant has considered the rejection of claims 199-212 under 35 USC Section 103 based on Ballard, 6,032,137; or Campbell *et al.*, 5,373,550; in view of Owens *et al.* 4,264,808. In brief, the cited references relate, *inter alia*, to the general technical field of processing check images. The solution of the claimed invention, set out in amended claims 199, 200, 202-204, 206, and 208 and new claims 213-217, further facilitates and enhances the security of check image processing. Thus, independent claim 199 provides that a check and, if any, indicia associated with presentation of the check are captured (imaged). The latter indicia may include examples ranging from a driver's license to a sales receipt to a deposit slip. Once the check and indicia are captured, as set out in claim 199, a security marker is affixed to the electronic files for each of the extracted data and the image or images associated with the transaction. The marker uniquely associates the extracted data and the image or images with each other and with the check and any indicia associated with the transaction, *e.g.*, presentation of a check for payment or deposit. In the claimed invention, the data extracted and the image or images associated with the transaction can be matched in accordance with the security marker and

associated with each other and with the check and any indicia associated with the transaction and recombined with each other at any step in end to end processing. The security marker insures that the data and image or images have not been tampered with between transmission endpoints.

A fundamental rule required by 35 USC Section 103 is that a cited reference must show a motivation within its four corners to one of ordinary skill in the art that the cited reference be combined with another reference, or vice versa, before a proper rejection associating the two may be made. In the present instance, while Ballard, Campbell et al., and Owens et al. may relate to check imaging systems, none provides a suggestion that it be combined with the other, nor, in an ultimate view of the references cited, would any combination of elements shown in the references result in the invention of claim 199 discussed above. Regardless, the combined elements of the claimed invention are neither singly in their entirety, nor in the aggregate, disclosed by the cited references – the combination is not possible.

The dependent claims are similarly distinguished over the references: Claim 200 and claim 208, having the limitations of claim 199, relates to the timing of transmission of the image or images captured and at least one data file. Timing and the separation of images from data, whether in real time or batch processing, are factors because image files are considerably larger in size, requiring a longer transit time, and are more efficiently transmitted during lull periods in the network.

Dependent claim 202 relates to check transaction data in a system of claim 199. Claim 203 defines a system wherein images and data are transmitted separately and re-associated with each other in processing and claim 204 includes quality control in

the secure system of claim 199. Claims 206 and 213-2145 relate to administration, validation and override operations in the system of claim 199. Claims 216 and 217 relate to check, credit and debit transactions. In the systems of the dependent claims, the extracted data and the image or images associated with the transaction are affixed with a marker that uniquely associates the extracted data and the image or images with each other and with the check and any indicia associated with transaction; the data extracted and the image or images can be matched and recombined with the assurance that the data and image or images have not been tampered with between transmission endpoints. None of Ballard, Campbell et al., and Owens et al. suggest systems having the elements in the combination for the purposes set out.

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Entry of the amendment, reexamination and reconsideration , and allowance of the application are requested.

Should the Examiner have any questions or suggestions in view of the foregoing, applicant's undersigned attorney requests that the Examiner initiate a telephone call to expedite prosecution of the application.

Respectfully submitted,



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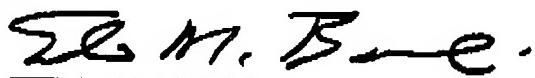
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CERTIFICATE OF FILING BY FACSIMILE TRANSMISSION

I certify that the foregoing Amendment and Response To the Office Communication Mailed on February 3, 2996 accompanied by Transmittal Form [PTO/SB/21] and a petition for extension of time [PTO/SB/22] are being filed by facsimile transmission on August 1, 2006 to Group Art Unit 3621 Attention: Examiner Salvatore Cangialosi, Facsimile Number 571-273-8300 [Alternate address: Commissioner for Patents, Mail Stop Amendment, PO Box 1450, Alexandria, Virginia 22313-1450].



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In the application:

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